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19 April 2008

The Hon Henry TANG Ying-yen, GBS, JP
The Chief Secretary for Administration
Government Secretariat
Central Government Offices
Lower Albert Road
Hong Kong

**Attendance of the Financial Secretary
at the Legislative Council meeting on Resumption of the
Second Reading debate on the Appropriation Bill 2008**

I am writing to convey the concern of the President and Members regarding the attendance of the Financial Secretary (FS) at the Legislative Council meeting of 16 and 17 April 2008 during the resumption of the Second Reading debate on the Appropriation Bill 2008.

The President is concerned that FS, as the public officer in charge of the Appropriation Bill, was not present in the Chamber most of the time during the resumption of the debate, the date of which has been scheduled at the beginning of this session. On previous occasions, FSs would sit through the Council meetings during the resumption of the Second Reading debate on Appropriation Bills. Even for motions moved by Members, the practice has been for the Bureau Secretaries concerned to stay through the Council meetings to listen to Members' views. As the approach taken by the incumbent FS is at variance with that of his predecessors, the President has asked whether the Executive has changed the established practice.

The President's concern is shared by many Members when the subject matter was discussed at the House Committee meeting on 18 April 2008. Members note that most Bureau Secretaries were also absent from the meeting concerned most of the time. Members stress that as provided in Article 73 of the Basic Law, one of the Legislative Council's functions is to examine and approve

budgets introduced by the Government. Being the public officer in charge of the Appropriation Bill, FS has a constitutional obligation to consider the views of Members on it. The poor attendance of FS and Bureau Secretaries during the debate is a disrespect to the Basic Law, and reflects the lack of importance attached by the Executive to the views expressed by the Legislature. A Member has enquired about the Administration's stance regarding the attendance of Principal Officials during such important debates.

The President and Members have asked me to convey their concerns to you. I would appreciate your response on the above views and concerns, including whether there has been a change to the established practice for FS to sit through the debate concerned. Members have also requested an explanation from FS for not having attended most part of the debate.

I look forward to your early response.

(Miriam LAU Kin-ye)
Chairman
Legislative Council House Committee

香港特別行政區政府
政務司司長辦公室



By fax & by post

CHIEF SECRETARY
FOR ADMINISTRATION'S OFFICE
Government of the Hong Kong
Special Administrative Region

23 April 2008

The Hon Miriam Lau Kin-ye, GBS, JP
Chairman
Legislative Council House Committee
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear ~~Ms~~ Lau Miriam,

**Attendance of the Financial Secretary
at the Legislative Council Committee meeting on Resumption of the
Second Reading debate on the Appropriation Bill 2008**

Thank you for your letter of 19 April 2008.

The Administration has all along attached great importance to Members' views expressed during the Budget debate. All Secretaries of Departments, Directors of Bureaux as well as Head of the Central Policy Unit were present during different periods of the meeting held on 16 and 17 April to listen to Members' speeches.

The Financial Secretary (FS) attaches great importance to Members' views in the Budget debate. He attended part of the Council meeting both on 16 and 17 April. Though he was not able to sit through the entire meeting, he monitored the discussion throughout using different means. In view of the short time available to formulate a response to Members' comments, the FS, after listening to the views of Members in the morning of 16 April, started discussing immediately with colleagues concerned on our response to Members' specific comments.

To ensure that the views put forth by every Member who spoke during the debate are duly taken into account in the formulation of the Administration's response, we assembled a team of staff outside the Council Chamber to record the main points made. The summary was brought to the personal attention of all Secretaries of Departments, Directors of Bureaux and Head of the Central Policy Unit immediately after the end of the Council meeting on 17 April. An internal meeting was held on 18 April amongst all concerned in order to finalise a response to Members' views when the Budget debate resumes on 23 April.

Members should rest assured that to underline the importance of an effective working relationship between the Administration and the Legislature, we will continue with the established practice whereby the relevant public officer attends the Council meeting to listen to Members' views on motion debates and take his bills through the Council.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Henry Tang', written in a cursive style.

(Henry Tang)

Chief Secretary for Administration